UTAH COUNTY BOARD OF HEALTH

Resolution 14-01

TITLE:

Board of Health Signature Temporary Mass Gathering Regulation

AUTHOR:

Bryce C. Larsen, Division of Environmental Health, Utah County Health

Department

REFERRED TO:

Utah County Board of Health

Whereas, the Utah Department of Health adopted Utah State Rule R392-400, Temporary Mass Gathering Sanitation, and

Whereas, the Utah County Board of Health adopted State Rule R392-400, Temporary Mass Gathering Sanitation by reference with amendments titled, Utah County Health Department Regulation Governing Temporary Mass Gathering for the purpose of regulating temporary mass gathering sanitation within the entire limits of Utah County, and

Whereas, Utah County Health Department Regulation Governing Temporary Mass Gathering was adopted by majority vote of the Utah County Board of Health on February 26, 2001, and

Whereas, Utah County Health Department Regulation Governing Temporary Mass Gathering has been in force since February 26, 2001 through the present, and

Whereas, no signed copy of Utah County Health Department Regulation Governing Temporary Mass Gathering has been found, and

Whereas, Section 10-2-8 of Utah County Code states; "It shall be the duty of the Utah County Health Department to place a certified copy of its rules and regulations, pertaining to the health and sanitation of Utah County and/or its incorporated cities on file with the Utah County Clerk," therefore, be it

Resolved, the Utah County Board of Health on January 27, 2014 has signed the Utah County Health Department Regulation Governing Temporary Mass Gathering adopted by the Utah County Board of Health on February 26, 2001, thereby making a certified copy available for the Utah County Clerk.

Approved and adopted January 27, 2014

Date

Witney, Chair

Utah County Board of Health

Joseph K. Miner, Executive Director

Utah County Health Department

REGULATION 14-01

UTAH COUNTY HEALTH DEPARTMENT Regulation Governing Temporary Mass Gathering

The purpose of this regulation is to incorporate the Utah Department of Health, Temporary Mass Gathering Sanitation Rule, R392-400 by reference, set definitions and establish fees to cover health department costs.

Text of Proposed Regulation

The requirement as found in the Utah Department of Health, Temporary Mass Gathering Sanitation Rule, R392-400 is incorporated by reference with the following amendments:

- 1. Add section 400-4(4) to read: No permit is transferable from one person to another, one temporary mass gathering to another, one location to another, or one date to another.
- 2. Add section 400-6(5) to read: A temporary mass gathering application fee, as determined by the Board of Health, shall be charged at the time of application. A permit fee shall be charged for the proposed gathering based upon required Utah County Health Department resources for inspections, as determined by the application review.
- 3. Add section 400-6(6) to read: If the temporary mass gathering exceeds 7 days, a permit fee shall be charged as set by the Board of Health for an extraordinary event.
- 4. Add section 400-6(7) to read: A late fee, set by the Board of Health shall be charged in addition to the permit fee for applications not submitted in compliance with dates specified in Section 400-6(1). A double application fee will be assessed if application fee is not paid prior to operating as a temporary mass gathering.
- 5. Add section 400-6(8) to read: Application fee is non-refundable. A returned check fee, as set by Utah County Health Department returned check policy will be charged on all returned checks.
- 6. Add section 400-6(9) to read: The application for a permit to operate a temporary mass gathering shall be made by the person who will operate the gathering or his representative. The operator shall be responsible for all site clean-up and damage charges.
- 7. Add section 400-14(3) to read: Temporary food service sites will be charged additional fees as imposed by the Board of Health. Health Officer approval is required before food vendors may operate.

This regulation becomes effective following the adoption by the Utah County Board of Health.
Approved and adopted this
Doug Witney, Chair Utah County Board of Health
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Joseph K. Miner, MD, Executive Director
Utah County Health Department
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R392. Health, Disease Control and Prevention, Environmental Services.

R392-400. Temporary Mass Gatherings Sanitation.

R392-400-1. Authority.

This rule is authorized under Utah Code Section 26-15-2.

R392-400-2. Purpose.

It is the purpose of this rule:

- (1) to protect, preserve and promote the physical health of the public;
- (2) to prevent and control the incidence of communicable diseases;
 - (3) to reduce hazards to health and environment;
 - (4) to maintain adequate sanitation and public health;
 - (5) to protect the safety of the public; and
 - (6) to promote the general welfare.

R392-400-3. Definitions.

- (1) "Department" means the Utah Department of Health (UDOH).
- (2) "Director" means the executive director of the Utah Department of Health or the executive director's designee.
- (3) "Drinking Water Station" means a location where a person may obtain safe drinking water free of charge.
- (4) "First Aid Station" means a temporary or permanent enclosed space or structure where a person can receive first aid and emergency medical care.
- (5) "Health Officer" means the director of the local health department having jurisdiction or the health officer's designee.
- (6) "Operator" means a person, group, corporation, partnership, governing body, association, or other public or private organization legally responsible for the overall operation of a temporary mass gathering.
- (7) "Owner" means any person who alone, jointly, or severally with others:
- (a) has legal title to any premises, with or without accompanying actual possession thereof or;
- (b) has charge, care, or control of any premises, as legal or equitable owner, agent of the owner, or lessee.
- (8) "Permit" means a written form of authorization written in accordance with this rule.
- (9) "Person" means any individual, public or private corporation and its officers, partnership, association, firm, trustee, executor of an estate, the State or its departments, institution, bureau, agency, county, city, political subdivision, or any legal entity recognized by law.
- (10) "Safe Drinking Water" means potable water meeting State safe drinking water rules or bottled water as regulated by the Utah Department of Agriculture and Food.
- (11) "Safe Drinking Water System" means a system for delivering safe drinking water that is approved by the local health officer.
- (12) "Solid Waste" means garbage, refuse, trash, rubbish, hazardous waste, dead animals, sludge, liquid or semi liquid waste, other spent, useless, worthless, or discarded materials or materials stored or accumulated for the purpose of discarding, materials that have served their original intended purpose.

(13) "Staff' means any person who:

- (a) works for or provides services for or on behalf of the operator or a vendor, or
 - (b) is a vendor at a gathering.
- (14) "Temporary Mass Gathering" or "Gathering" means an actual or reasonably anticipated assembly of 500 or more people, which continues or can reasonably be expected to continue for two or more hours per day, at a site for a purpose different from the designed use and usual type of occupancy. A temporary mass gathering does not include an assembly of people at a location with permanent facilities designed for that specific assembly, unless the designed occupancy levels are exceeded.

(15) "Vendor" means any person who sells or offers food for public consumption.

(16) "Wastewater" means used water or water carried wastes produced by man, animal, or fowl.

R392-400-4. Permit To Operate Required.

- (1) A person may not operate a temporary mass gathering without a valid written permit issued by the health officer.
- (2) The health officer may exempt a parade from the permit requirement if the operator submits an application as required in Section R392-400-6 and the health officer determines that the availability of existing public sanitary facilities, drinking water and trash containers is sufficient to protect public health.
- (3) A temporary mass gathering may not exceed 30 days unless otherwise approved by the health officer.

R392-400-5. Gathering Operator Required On Site.

- (1) The operator shall establish a headquarters at the gathering site.
- (2) The operator or the operator's designee shall be present at the gathering at all times during operating hours.

R392-400-6. Permit Application Required.

- (1) The health officer shall prescribe the application process, and shall require the applicant to submit an application at least 15 days prior to the first advertisement of the gathering and at least 30 days prior to the first day of the gathering. The health officer may grant an exception to this requirement on a case by case basis because of the nature of the event, scarcity of problems associated with the event in the past or other public health related criteria.
- (2) An application for a permit shall be in writing to the health officer and include the following information:
- (a) name, address, telephone number, and fax number (if applicable) of the operator;
 - (b) number of people expected to attend the gathering;
- (c) a description of the type of gathering to be held with the date(s) and times the gathering will be held;
 - (d) estimated length of stay of attendees;
- (e) name, address, telephone number, and fax number (if applicable) of property owner;
- (f) location of the gathering and a site plan delineating the area where the gathering is to be held including the following:

(i) the parking area available for patrons;

- (ii) location of entrance, exit, and interior roadways and walks;
- (iii) location, type, and provider of restroom facilities;

(iv) location and description of water stations;

- (v) location and number of food stands, and the types of food to be served if known;
- (vi) location, number, type, and provider of solid waste containers;
 - (vii) location of operator's headquarters at the gathering;
- (viii) a plan to provide lighting adequate to ensure the comfort
 and safety of attendees and staff;
- (ix) location of all parking areas designated for the gathering and under the operator's control.
- (g) the name of the solid and liquid waste haulers with whom the operator has contracted, unless exempted by this rule;

(h) a site clean up plan after the gathering;

(i) total number, and qualifications of first aid station personnel;

(j) plan for directional and exit signs;

- (k) a plan developed by the operator to address nuisances or health hazards associated with animals present at the gathering;
- (1) plans to address hazardous conditions as required in Section R392-400-13;
- (m) emergency medical services operational plan approved by the local licensed emergency medical services agency director, including the location of all first aid stations and emergency medical resources;
- (n) any other information specifically requested by the health officer as necessary to protect public health.
- (3) The health officer shall require a separate application for each temporary mass gathering.
- (4) The health officer shall consider the proximity and risk of known health hazards when determining the acceptability of a proposed gathering site.

R392-400-7. Permit.

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- (1) The health officer may attach conditions or grant waivers to a permit, in accordance with this rule, in order to meet specific public health and safety concerns.
- (2) The health officer may deny a permit for any of the following reasons:
- (a) failure of the applicant to show that the gathering will be held or operated in accordance with the requirements and standards of this rule;
- (b) submission of incorrect, incomplete, or false information in the application;

(c) the gathering will be in violation of law.

- (3) The health officer shall return a denied permit application to the applicant within 5 working days of submission, specifying the basis for denial in writing.
- (4) The applicant may appeal a denied permit in accordance with the procedures established by the local Board of Health.

R392-400-8. Inspections.

(1) The director and health officer may conduct inspections before, during, and after a gathering to ensure compliance with R392-400 and approved plans.

(2) The operator shall provide the director and health officer with access to all areas of the gathering that the director and health officer deem necessary and the number of access credentials they request.

(3) The operator shall effectively communicate the director's and health officer's access privileges to staff.

R392-400-9. Notice Of Violation Or Closing.

- (1) The health officer may issue a notice of violation to the owner, operator or the operator's designee if the gathering fails to meet the requirements of this rule or the conditions of the permit.
- (2) The health officer shall, in accordance with R392-100 Food Service Sanitation, direct the disposition of any food items, including ice and water, that have been adulterated or are otherwise unfit for human consumption.
- (3) The health officer may issue a notice of closure of the gathering or part thereof to the owner, operator or the operator's designee if the health officer determines that conditions at the gathering constitute a serious or imminent health hazard.
- (4) No gathering site or part thereof that has been closed may be used for a gathering until the department or health officer determines that the conditions causing the closure have been abated and written approval is received from the department or health officer. The director or health officer shall remove the posted notice whenever the violation(s) upon which closing, and posting were based has been remedied.
- (5) No unauthorized person may deface or remove a posted notice from any gathering site that has been closed by the director or local health officer.
- (6) The operator may appeal a notice or closure in accordance with the procedures established by the local Board of Health or the Utah Administrative Procedures Act, whichever is applicable.

R392-400-10. Solid Waste Management.

- (1) The operator shall contract with a solid waste hauler approved by health officer. The operator is exempt from this requirement if the operator is approved by the health officer as a solid waste hauler and is identified as the solid waste hauler for the gathering. The health officer shall establish written criteria for approving a solid waste hauler.
- (2) The operator shall provide and strategically locate a sufficient number of covered waste containers approved by the health officer to effectively accommodate the solid waste generated at the gathering.
- (3) The operator shall ensure that the waste containers are emptied as often as necessary to prevent overflowing, littering, or insect or rodent infestation.
- (4) The operator shall ensure that solid waste and litter are cleaned from the property periodically during the gathering and that, within 24 hours following the gathering, the property is free of solid waste and is clean. On a case by case basis, the health officer may

allow for more than 24 hours to clean up the site because of the time of year, nature of the event or other extenuating circumstances if the health officer is satisfied that the extension will not adversely affect the public health

(5) The operator shall ensure that litter is prevented from

being blown from the gathering site onto adjacent properties.

(6) The operator shall ensure that all solid waste is collected and disposed of at a solid waste disposal or recycling facility meeting State and local solid waste disposal facility requirements.

(7) The operator, staff, participants, and spectators shall comply with all applicable State and local requirements for solid waste management.

R392-400-11. Site Maintenance.

- (1) All buildings or structures provided for the gathering shall be maintained in a safe, clean condition, in good repair, and in compliance with all applicable laws.
- (2) A gathering that provides overnight parking for occupied recreational vehicles in connection with the gathering, shall comply with R392-301 Recreational Vehicle Park Sanitation and local recreational vehicle parks regulations.
- (3) The operator shall eliminate any infestation of vermin within any part of a structure intended for occupancy, food storage, or restroom facilities prior to, during, and immediately following a gathering.
- (4) The operator is responsible for the maintenance and sanitary condition of the gathering site and facilities. The operator shall prevent the occurrence of any nuisance and immediately take steps to cause the abatement of any nuisance or insanitary condition that may develop.
- (5) A gathering site shall be constructed to provide surface drainage adequate to prevent flooding of the gathering site and to prevent water related nuisances on adjacent properties.
- (6) Sufficient signs shall identify and show the location of first aid, restroom and drinking water facilities so spectators and participants can readily find them from any place on the gathering site.
- (7) The operator shall provide lighting adequate to ensure the comfort and safety of attendees.
- (8) All parking areas used for the gathering and under the control of the gathering operator must meet the requirements of this rule.

R392-400-12. Emergency Medical Care Requirements.

- (1) The operator shall ensure that the gathering has at least one first aid station. The health officer or local licensed emergency medical services agency director(s) may require more than one first aid station as they deem necessary because of the nature of the event, time of year, risk of injuries or other public health and safety needs.
- (2) First aid stations shall contain the following minimum equipment and maintain the minimum levels over the duration of the gathering:
- (a) 1 Bag mask ventilation unit with adult, child, and infant mask sizes
 - (b) 3 Oropharyngeal airways, adult, child, and infant sizes

- 1 Pocket mask (C)
- 1 portable oxygen apparatus (tank, regulator, case)

1 Oxygen extension tubing (e)

- (f) 2 adult and 1 child nasal cannula
- (g) 2 adult and 1 child non-rebreather mask
- (h) 1 adult and 1 child blood pressure cuff
- (i) 1 stethoscope
- (j) 2 pillows
- (k) 2 emesis basins
- (1)4 blankets
- (m) 4 sheets
- (n) 12 towels
- (o) six 5x9 or 8x10 trauma dressings
- (p) thirty 4x4 gauze dressings
- 12 kerlix or other roller bandage (q)
- (r)3 roles of adhesive tape
- 3 cervical collars, 1 regular, 1 no-neck, one pediatric (s)
- (t) 1 back board with straps
- 6 non-traction extremity splints (e.g., cardboard, ladder, (u) SAM splints, air splints)
 - (V) 10 triangular bandages
 - 2 pair of shears (w)
 - (x) 1 obstetrical kit
 - (y) 2 pen lights
 - (z) 100 assorted bandaids
 - (aa) 1 traction splint
 - (bb) 2 tubes of oral glucose
 - (cc) 1 box of exam gloves
 - (dd) 4 biohazard bags
- (ee) 1 portable suction device
 (ff) 1 basic life support jump kit for every 2 gathering medical providers
 - (gg) 1 automatic external defibrillator
 - (hh) 1 examination table, cot or bed.
- (3) First aid stations shall afford privacy to a person receiving care or treatment.
- (4) First aid stations shall be of sufficient size to accommodate the number of care givers required, and the predicted number of sick or injured persons.
- (5) First aid stations shall be strategically located to provide expedient medical care for those attending or participating in the gathering.
- (6) First aid stations shall be easily accessible by emergency vehicles. The operator shall provide the local licensed emergency medical services director(s) a map of the gathering site which includes location of first aid stations, emergency vehicle ingress and egress routes, landing zones (if applicable) and rendezvous locations.
- (7) A first aid station shall be clearly marked and identifiable as a first aid station.
- (8) At least two state-licensed or certified medical providers, such as an emergency medical technician, paramedic, nurse, physician's assistant or medical doctor shall be present to staff each first aid station. A gathering having more than 2,500 attendees shall have at least two additional emergency medical providers for each additional

5,000 attendees or fraction thereof. The health officer or local licensed emergency medical services agency director(s) may require additional emergency medical services personnel as deemed necessary because of the nature of the event, time of year, risk of injuries or other public health and safety needs.

(9) First aid stations shall be staffed by individuals meeting

the following minimum requirements:

(a) is at least 18 years of age;

(b) has a current state license or certification showing competency to be an emergency medical technician, paramedic, nurse, physician's assistant or physician.

(10) The operator shall ensure that the medical staff have access to telephones or radios to contact outside emergency medical. The operator shall provide the local licensed emergency medical services director(s) the telephone numbers and radio frequencies for accessing

the gathering medical providers.

(11) The local health officer or local licensed emergency medical services agency director may require the operator to provide dedicated stand-by ambulances and personnel at the gathering. The operator will be financially responsible for the costs of funding dedicated stand-by ambulances and personnel, but not for the costs of providing transportation services to individual patients.

(12) The operator shall ensure that the staff person in charge of the first aid station keeps accurate records of patients and treatment, and that the health officer is notified of all cases involving a serious injury or communicable disease in accordance with R386-702 Communicable Disease Rule and R386-703 Injury Reporting Rule.

(13) The operator shall ensure that the staff person in charge of the first aid station completes a Department approved pre-hospital care form showing all assistance given each person attended and that these forms are submitted to the Department within 72 hours following the gathering.

R392-400-13. Hazardous Conditions.

The operator shall develop contingency plans for dangerous conditions during the gathering. The plans may include evacuation, cancellation or delay of the gathering and provision for support facilities.

R392-400-14. Food Protection.

- (1) The operator and vendors shall comply with R392-100 Food Service Sanitation.
- (2) The operator shall assure that food vendors obtain required food service operating permits from the health officer.

R392-400-15. Safe Drinking Water Supply Requirements.

- (1) The operator shall ensure that all drinking water is from a state-approved safe drinking water supply or bottled water approved by the Utah Department of Agriculture and Food.
- (2) Safe drinking water hauled to the gathering shall be hauled and dispensed in a manner that protects public health as determined by the health officer.
- (3) The operator shall provide and strategically locate drinking water stations to effectively meet the drinking water needs of

attendees and staff. At least four drinking water stations are required. An additional drinking water station is required for each additional 150 attendees or fraction thereof, above 500 persons. The health officer may reduce the number of additional drinking water stations or require more than one drinking water station for each additional 150 attendees or fraction thereof above 500 persons because of the time of year, heat index, nature of the event or other public health related criteria. If containers are needed to drink the water at the required drinking water stations, the operator must provide single use containers.

R392-400-16. Wastewater Disposal Requirements.

- (1) All wastewater shall discharge to a public wastewater treatment system unless no such system is available or practical for use as determined by the health officer.
- (2) Where a public sewer is not available or practical for connection, wastewater shall discharge into a wastewater treatment system approved in accordance with State and local wastewater rules.
- (3) The health officer may allow portable restroom facilities and wastewater holding tanks only where an approved sewer system is not available or practical for connection.
- (4) The number of toilets and facilities shall be provided in accordance with the following Table.

TABLE
Minimum Numbers of Toilets Required

Average Time at Gathering (hours)

55000 60000 65000 each	83 91 98	150 164 177	217 237 257	285 311 336	352 384 416
additio	nal 15	25	38	50	63
	6	(table 7	continued 8	for 6-10 9	hours) 10
500 1000 2000 3000 4000 5000 6000 7000 8000 12500 15000 17500 20000 25000 30000 40000 45000 55000 65000 each additio		9 11 26 35 44 53 61 70 88 1031 175 226 3154 342 486 575	9 12 20 30 40 50 60 70 80 100 125 150 252 302 352 403 453 503 554 604 654	10 13 23 34 45 56 68 79 90 113 141 169 197 228 2339 395 452 508 621 677 734	12 13 25 38 50 63 75 88 105 126 188 219 250 313 438 563 626 688 751 813
	nal 75	88	100	113	125

- (a) If alcoholic beverages are consumed at the gathering, the operator shall increase the number of required toilets by 40%.
- (b) For one year following the effective date of this rule the health officer may allow portable multi-urinal stations to substitute for up to 1/3 of the estimated men's portion of the required toilets.
- (c) The operator shall provide a minimum of one toilet that is accessible by handicapped persons and at a rate of 5% of total toilets.
- (d) Toilet facilities for men and women located in the same building and adjacent to each other shall be separated by an opaque, sound resistant wall. Direct line of sight from outside a toilet facility to the toilets and urinals shall be effectively obstructed.
- (e) The operator shall locate portable toilets a minimum of 100 feet from any food service operation and not more than 300 feet from grand stand or spectator or from other areas of activity which pertain to the gathering, as outlined in the permit application. Where site conditions limit the placement of portable toilets, the

health officer may allow exemptions to these distances.

- (f) The operator shall provide working hand wash stations at a minimum rate of one per 10 portable toilets or portion thereof. The operator shall provide soap, water and single use towels at each hand wash station. Where conditions make the use of soap and water impractical, the health officer may allow sanitizing gel in place of soap and water. Sanitizing gel may not be used in place of soap and water at hand wash stations used by food service workers.
- (g) The operator shall provide a minimum of one covered trash container for every 10 portable toilets or portion thereof.
- (h) The operator or coordinator shall ensure that all portable toilets are of sound construction (such as non-absorbent polyethylene), easily cleanable, and durable.
- (i) The tank capacity of each portable toilet shall not be less than 60 gallons. Chemicals used for sanitizing agents in portable toilets must be acceptable for use by the treatment facility accepting the sewage.
- (j) Each portable toilet must be secured against vandalism and adverse weather conditions by tie downs, anchors or similar effective means.
- (k) The operator shall contract with a liquid waste hauler that meets local health department requirements. The operator is exempt from this requirement if the operator is approved by the health officer as a liquid waste hauler and is identified as the liquid waste hauler for the gathering.
- (i) the operator shall require in the contract with the liquid waste hauler that the hauler shall meet the requirements of this Subsection.
- (ii) the liquid waste hauler shall have a written contract with a wastewater treatment facility indicating that the wastewater treatment facility will accept the wastewater.
- (iii) the liquid waste hauler must manifest all disposal of liquid waste materials. The liquid waste hauler shall present the manifest to the health officer for the health officer's review upon request.
- (1) The operator shall ensure that all wastewater is removed from each portable toilet at least once every 24 hours. On a case by case basis, the health officer may change this frequency because of the time of year, weather conditions, nature of the event or other public health related criteria. All wastewater removed shall be disposed of at a wastewater treatment facility in accordance with State and local wastewater disposal laws.
- (m) Each portable toilet must be serviced and sanitized at time intervals that will maintain sanitary conditions of each toilet.
- (n) At the conclusion of the gathering, each portable restroom unit must be serviced and removed within 48 hours. The health officer may extend or shorten this time because of the time of year, weather conditions, the nature of the event or to meet other public health needs.

R392-400-17. Penalty.

- (1) Any person who violates any provision of this rule may be assessed a penalty as provided in Subsection 26-23-6.
 - (2) Each day such violation is committed or permitted to continue

shall constitute a separate violation.

(3) In addition to other penalties imposed, any person who violates any requirement of this rule shall be liable for all expenses incurred by the department and local health department in removing or abating any nuisance, source of filth, cause of sickness or infection, health hazard, or sanitation violation.

R392-400-18. Severability.

If a provision, clause, sentence, or paragraph of this rule or the application thereof to any person or circumstances shall be ruled invalid, such ruling shall not affect the other provisions or applications of this rule, and to this end the provisions of this rule are severable.

KEY: public health, temporary mass gatherings, special events Date of Enactment or Last Substantive Amendment: March 15, 2010 Notice of Continuation: January 20, 2012 Authorizing, and Implemented or Interpreted Law: 26-15-2 26A-1-108. Jurisdiction and duties of local departments.

A local health department has jurisdiction in all unincorporated and incorporated areas of the county or counties in which it is established and shall enforce state health laws, Department of Health, Department of Environmental Quality, and local health department rules, regulations, and standards within those areas.

Amended by Chapter 249, 2002 General Session